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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/038,355	01/04/2002	Scott Geng	112153.126	7029

7590 04/21/2005

EXAMINER
IQBAL, NADEEM

ART UNIT	PAPER NUMBER
2114	

Peter M. Dichiara
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DATE MAILED: 04/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/038,355	GENG ET AL.	
	Examiner	Art Unit	
	Nadeem Iqbal	2114	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ____ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *09 February 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-10* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) *1-6* is/are allowed.

6)☒ Claim(s) *7-10* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

NADEEM IQBAL
PRIMARY EXAMINER

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

Response to Amendment

Claim Objections

1. Claims 7 & 9 are objected to because of the following informalities: Applicant has amended claim 7 by changing the word "processors" to "processor". This change is not appropriate, since the claim refers to more than one processor, therefore the appropriate term for processor should be "processors". Similar correction is need for the change made in claim 9 pertains to changing the word "processor" to "processors", since two computer processors are referred there. Appropriate correction is required.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 7 & 9 recites the limitation "messages" in line 4. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various

claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6. Claims 7-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cartmell et al., (U.S. Patent Application number 2002/0138649) in view of Hankinson et al., (U.S. Patent number 6799202).

7. As per claim 7, Cartmell et al., (Cartmell) teaches (Page 4, col. 2, para. 0040, lines 1-5) client computer receives IP address for the server computer that is associated with the group, the client sends an HTTP request message from the user specified URL to the server computer. He thus teaches limitations pertain to a system for providing a service addressed by an IP address, at least two computer processors each including logic to provide the service, the cluster logic for receiving a request message, the messages having the IP address. He also teaches (Page 4, col. 2, para. 0040, lines 13-16) that the server determines the domain name group for the domain name included in the URL, and determine the information and/or services associated with the domain name group, the server also determines how to respond to the received HTTP request message. He does not explicitly discloses distributing the request to one of the at least two computer processors having logic to provide the service. Hankinson teaches (col. 28, lines 49-52) that the servicing of a single IP address is not processed by a single computer but rather is distributed among multiple computers. It would have been obvious to a person of ordinary skill in the art at

the time the invention was made to include the invention of Hankinson into the invention of Cartmell to be able to provide the servicing of a single IP address is not processed by a single computer but rather is distributed among multiple computers. This is because both invention are in the same environment of providing services, and Hankinson further teaches that his invention provides advantages (col. 3, lines 15-18) of increased speed, throughput, reliability, security and manageability, thus provides motivation for the stated inclusion.

8. As per claim 8, He teaches (Page 4, col. 2, para. 0040, lines 13-16) that the server determines the domain name group for the domain name included in the URL, and determine the information and/or services associated with the domain name group, the server also determines how to respond to the received HTTP request message. He thus teaches limitations pertain to logic for distributing that includes logic for analyzing the source information in an incoming message for determining which processor should service the message. The inclusion of Hankinson further allows the servicing of a single IP address is not processed by a single computer but rather is distributed among multiple computers.

9. As per claim 9, Cartmell substantially teaches the claimed invention as disclosed related to claim 7 above. He also teaches (Page 4, col. 2, para. 0040, lines 1-5) client computer receives IP address for the server computer that is associated with the group, the client sends an HTTP request message from the user specified URL to the server computer. He thus teaches limitations pertain to a system for providing a service addressed by an IP address, at least two computer processors each including logic to provide the service, the cluster logic for receiving a request message, the messages having the IP address. He also teaches (Page 4, col. 2, para. 0040, lines 13-16) that the server determines the domain name group for the domain name included in the

URL, and determine the information and/or services associated with the domain name group, the server also determines how to respond to the received HTTP request message. He does not explicitly discloses distributing the request to one of the at least two computer processors having logic to provide the service. Hankinson teaches (col. 28, lines 49-52) that the servicing of a single IP address is not processed by a single computer but rather is distributed among multiple computers. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to include the invention of Hankinson into the invention of Cartmell to be able to provide the servicing of a single IP address is not processed by a single computer but rather is distributed among multiple computers. This is because both invention are in the same environment of providing services, and Hankinson further teaches that his invention provides advantages (col. 3, lines 15-18) of increased speed, throughput, reliability, security and manageability, thus provides motivation for the stated inclusion.

10. As per claim 10, He teaches (Page 4, col. 2, para. 0040, lines 13-16) that the server determines the domain name group for the domain name included in the URL, and determine the information and/or services associated with the domain name group, the server also determines how to respond to the received HTTP request message. The inclusion of Hankinson further allows the servicing of a single IP address is not processed by a single computer but rather is distributed among multiple computers.

Allowable Subject Matter

11. Claims 1-6 are allowed.

Response to Arguments

12. Applicant's arguments filed Feb 9, 2005 have been fully considered but they are not persuasive. The Examiner has indicated the allowance of claims 1-6, therefore, arguments pertain to these claims are not addressed by the Examiner. The claims 7-10 are finally rejected based on new applied art. As per claims 7-10, Applicants arguments pertain to Herbert not disclosing allowing multiple processors having one IP address. Hankinson teaches (col. 28, lines 49-52) that the servicing of a single IP address is not processed by a single computer but rather is distributed among multiple computers. Therefore clearly teaches allowing multiple processors having one IP address. The inclusion of Hankinson with Cartmell further provides a set of services offered by a cluster of processors to clients.

Conclusion

13. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

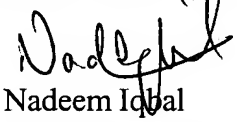
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nadeem Iqbal whose telephone number is (571)-272-3659. The examiner can normally be reached on M-F (8:00-5:30) First Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert W. Beausoliel can be reached on (571)-272-3645. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Nadeem Iqbal
Primary Examiner
Art Unit 2114

NI